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Attorneys for Defendant, COUNTY OF BUTTE

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JASON HARTMAN and ASHLEY
HARTMAN,

Plaintiffs,

v.

UNITED STATES OF AMERICA;
MICHAEL SAMPSON; COUNTY OF
BUTTE; CITY OF BIGGS; EAN
HOLDINGS, INC.; and ENTERPRISE
RENT-A-CAR,

Defendants.

Case No.: 2:20-cv-01492-KJM-DB

**STIPULATION AND ORDER TO
VACATE CURRENT SCHEDULING
ORDER**

Complaint Filed: 07/23/2020

1 IT IS HEREBY STIPULATED by and between the parties, *through their respective counsel of*
2 *record:*

- 3 1. The current deadline to complete non-expert discovery is November 23, 2022.
- 4 2. The current deadline to disclose expert witnesses is December 7, 2022. The current deadline
5 to complete expert discovery is February 24, 2023.
- 6 3. The deadline to file a dispositive motion is February 17, 2023.
- 7 4. Plaintiff will be filing a Motion for Leave to Amend his Complaint (“Motion”) to add Clint
8 Moffit as a Defendant. The Motion will be scheduled to be heard on November 4, 2022.
9 Defendants will not oppose the Motion.
- 10 5. If/when Mr. Moffit is added as a Defendant, the parties will need additional time to conduct
11 discovery. Specifically, the existing parties will need time to explore Mr. Moffit’s potential
12 liability and Mr. Moffit will need time to explore his potential risk of liability, defenses, and
13 Plaintiff’s damages. Further, the parties’ experts will need to evaluate any new information
14 learned during the additional discovery before completing their opinions. Therefore, the
15 deadlines for discovery and expert disclosures and discovery need to be extended.
- 16 6. Discovery and expert discovery need to be substantially completed before the deadline for the
17 parties to file a dispositive motion.
- 18 7. Given the foregoing, the parties request the Court vacate the current scheduling order. The
19 parties further request the Court issue an Order that the parties must file a Joint Status Report,
20 including proposed new deadlines for non-expert discovery, expert disclosures, expert
21 discovery, and filing a dispositive motion no later than 28 days after (1) Mr. Moffit files an
22 appearance in the case or (2) the Court issues an Order denying Plaintiff’s Motion for Leave
23 to Amend.
- 24 8. The parties agree there is good cause for the proposed modifications to the scheduling order
25 referenced in paragraphs 1-7, above.

26 **IT IS SO STIPULATED.**

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28

1 Date: September 26, 2022

DEMAS LAW GROUP

2
3 By /s/ Tim S. Spangler

Tim S. Spangler

Attorneys for Plaintiff

JASON HARTMAN

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7 Date: October 25, 2022

PORTER | SCOTT

A PROFESSIONAL CORPORATION

8
9 By /s/ William E. Camy

William E. Camy

Matthew W. Gross

Attorneys for Defendant

COUNTY OF BUTTE

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13
14 Date: September 26, 2022

UNITED STATES ATTORNEY

15
16 By /s/ Brendon L. S. Hansen

Rachel R. Davidson

Brendon L.S. Hansen

Attorneys for Defendant

UNITED STATES OF AMERICA

19
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21 Date: September 26, 2022

SELMAN BREITMAN LLP

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23 By /s/ Jennifer J. Capabianco

Jennifer J. Capabianco

Attorneys for Defendant

UNITED STATES OF AMERICA

ORDER

Having reviewed the above stipulation, issued an order resolving plaintiff's motion to amend the complaint, and good cause appearing, it is hereby ordered as follows:

1. The current dates set in this case, including the deadlines to complete non-expert discovery, disclose experts, complete expert discovery, and file a dispositive motion are hereby VACATED.
2. The parties shall file a Joint Status Report including proposed new deadlines for non-expert discovery, expert disclosures, expert discovery, and filing a dispositive motion no later than 28 days after Mr. Moffit files an appearance in the case.

IT IS SO ORDERED.

Dated: October 25, 2022.


CHIEF UNITED STATES DISTRICT JUDGE